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U.S. DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

María A. Clemente Rosa
PETICIONARIA

9 de NOVEMBER OF 2021

**HONORABLE JUEZ: Laura Taylor Swain, UNITED STATES
DISTRICT COURT**

MOTION TO CONSIDER MY OPOTION IN SOME POINTS AND / OR
ARTICLES OF LAW 53-2021, "EIGHTH DEBT ADJUSTMENT PLAN OF
PUERTO RICO", PRESENTED BY THE TAX CONTROL BOARD.

Honorable Judge

PURSUANT TO THE ABOVE, I RESPECTFULLY REQUEST:

LIST OF FACTS:

1. HONORABLE JUDGE: LAURA TAYLOR SWAIN, UNITED STATES DISTRICT COURT I RESPECTFULLY UNDERTAKE THAT MY OPOTION TO CERTAIN ARTICLES OF LAW 53-2021 (PAD) BE ACCEPTED. WHAT I WILL PRESENT DURING MY MOTION. NOW I WELL AGREE ON THIS POINT. WHY LAW 53-2021 "8 VO DEBT ADJUSTMENT PLAN" PRESENTS: "THAT THE TEACHERS 'PENSIONS ARE NOT GOING TO CUT." IT MUST BE RECOGNIZED THAT THE TEACHERS 'PENSIONS IS ESTABLISHED AS A PUBLIC POLICY OF THE PUBLIC EMPLOYEE, OF THE ASSOCIATED FREE STATE.
2. HONORABLE JUDGE: LAURA TAYLOR SWAIN, UNITED STATES DISTRICT COURT, I RESPECTFULLY PRESENTED MY FIRST OPOTION TO LAW 53-2021 (PAD), PRESENTED BY THE TAX CONTROL BOARD, BECAUSE IT IS APPEARINGLY DISDISCRIMINATING WITH THE MASTER CLASS) BY ESTABLISHING THAT ANY

FUTURE SALARY INCREASE THAT IS ESTABLISHED IN THE HOUSE OF LAWS (GOVERNOR, CHAMBER AND SENATE) BE ELIMINATED.

3. HON. JUDGE, THAT ARTICLE OF LAW 53-2021, (PAD), WHERE IT ELIMINATES THE TEACHERS AND DOES NOT QUALIFY US TO RECEIVE RAISES PROPOSED BY THE HOUSE OF LAWS, MUST BE REPEALED AND AMENDED. BECAUSE THE PENSIONED TEACHERS (THE MAGISTERIAL CLASS OF PUERTO RICO), RECEIVED SOME UNSUSTAINABLE PENSIONS, FOR THE INCREASING COST OF LIVING; COMPARED TO TEACHERS 'PENSIONS IN THE UNITED STATES. BESIDES THAT PUBLIC POLICY WOULD BE VIOLATED, IN PR

4. HONORABLE JUDGE: LAURA TAYLOR SWAIN, I RESPECTFULLY PLEASE, THAT THE APPROACH BE CONSIDERED AND THAT IT BE CLEAR, IN THE 8TH DEBT ADJUSTMENT PLAN, SUBMITTED BY THE TAX CONTROL BOARD LAW 53-2021, THAT THERE WILL BE NO CUT TO THE PENSIONS OF THE PENSIONED TEACHERS, FOR THE WHOLE LIFE OF THE INDIVIDUAL, SINCE THAT IS HIS PENSION AND IT WAS WORKED FOR HIM. IT IS EMPLOYER'S LAW.

5. APPEARINGLY, LAW 53-2021 (PAD) DOES NOT GUARANTEE THE PENSIONED TEACHERS, LIFETIME PENSIONS, SO THEY WORKED FOR 35 YEARS AND MORE. RIGHT ACQUIRED BY PUBLIC POLICY AND LAWS OF PUERTO RICO. IT IS OUR RIGHT AND OF THE LAW OF RETIREMENT.

6. LAW 53-2021 (PAD), WHICH MAKES THE DEBT ADJUSTMENT PLAN (PAD) VIABLE, LEAVES AMBIVALENCE, SO THAT AT ANY TIME, THE POLITICAL BRANCHES OF THE GOVERNMENT OF PUERTO RICO, THE GOVERNOR, THE SENATE AND THE LEGISLATIVE HOUSE, MAY AT ANY TIME ESTABLISH A LAW REPEALING THE ARTICLE OF LAW 53-2021, (NO CUTS TO PENSIONS) AND ESTABLISH A CUT OF 8.5%, TO CONTINUE WITH THE ESTABLISHED CAPACITY OF DEBT PAYMENT. USING AS AN EXCUSE THAT THE ECONOMIC DEVELOPMENT OF PUERTO RICO HAS NOT PRESENTED AN INCREASE AND FOR SUCH REASON, CUTS TO PENSIONS MUST BE MADE.

7. I RESPECTFULLY BEG HON. JUDGE: LAURA TAYLOR SWAIN, WHO FAITHFULLY AND FINALLY SAYS THE ARTICLE ON NON CUTS TO PENSIONS AND THE SHARE OF FUTURE SALARY INCREASES TO THE PENSIONED TEACHERS OF PUERTO RICO IN LAW 53-2021 (PAD) SUBMITTED BY THE CONTROL BOARD FISCAL.

8. THE REASONS FOR SUCH REQUEST IS BECAUSE PUERTO RICO DOES HAVE A FIRM ECONOMY AND ITS FINANCE AS WELL. THESE INCREASES IN INCOME WILL ALLOW YOU TO COMPLY WITH THE DEBT PAYMENT PLAN, Law 53-2021.

9. SUCH FACT IS REAFFIRMED IN:

A. INCOME FROM THE TOURIST INDUSTRY:

a. THE ISLAND OF PUERTO RICO ENJOYS INCREASING ECONOMIC DEVELOPMENT. THE TOURISM INDUSTRY INCREASED 23% COMPARED TO 20219.

b. AT THE END OF SEPTEMBER 2021, ACCOMMODATION INCOME WAS ESTIMATED AT \$ 964 MILLION. FIGURE THAT EXCEEDED BY \$ 10 MILLION THE INCOME GENERATED IN 2019, (spokesperson, Oct 21, 2021).

c. BY OCTOBER 2021, WE ARE EXPECTED TO HAVE A 1,000 MILLION INCREASE IN REVENUE.

d. INCOME FROM THE ELECTRONIC LOTTERY.

e. INCOME FROM THE TRADICIONAL LOTTERY.

B. INCOME FROM THE CONCEPT OF BANKING AND FINANCIAL SERVICES INCREASED:

a. BANCO ORIENTAL BANK RECORDS AN INCREASE OF 5134.7 MILLION.

b. THE EXECUTIVE OF THE BANCO POPULAR DE PUERTO RICO (BPPR) MR. IGNACIO ÁLVAREZ, REPORTING NET INCOME OF \$ 248.1 MILLION FOR THE QUARTER ENDED ON SEPTEMBER 30, 2021, AN INCREASE OF \$ 30 MILLION COMPARED TO THE SECOND QUARTER OF THE YEAR.

C. LUMA CONTRACTS AND THE SALARIES OF ITS MANAGEMENT EMPLOYEES:

a. LUMA WAS APPARENTLY HIRED FOR 5 MILLION A YEAR.

b. MANAGING EMPLOYEES HAVE SALARIES OF \$ 200,000 AND GREATER THAN \$ 500,000, (El Vocero newspaper, Oct. 21, 2021).

c. HON. JUDGE, AND IN SPITE OF THESE SALARIES AND CONTRACTS PUERTO RICO HAS A DEFECTIVE ELECTRICAL ENERGY SYSTEM, THE POWER IS CONSTANTLY GOING OUT. AND THEY HAVE HIRED THE FORMER DIRECTOR OF PREPA, BECAUSE APPEARINGLY THE DIRECTOR OF LUMA DOES NOT UNDERSTAND OUR ELECTRICAL SYSTEM.

d. STILL, LUMA RECEIVES FUNDS FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AND FROM THE CENTRAL BUREAU OF RECOVERY, RECONSTRUCTION AND RESILIENCE (COR3 IN ENGLISH), TO WORK ON ENERGY PROJECTS.

D. ALLOCATION OF FUNDS TO THE STATE GOVERNMENT FROM: THE FEDERAL AGENCY FOR EMERGENCY MANAGEMENT (FEMA), WITH THE PURPOSE OF REBUILDING HOUSING IN THE TOWNS THAT WERE AFFECTED BY HURRICANES IRMA AND MARÍA, 2017.

a. THE HON. GOVERNOR OF PUERTO RICO, PEDRO PIERLUISI, VISITED THE MUNICIPALITY OF CEIBA LAST WEDNESDAY, NOVEMBER 3, 2021, TO LISTEN TO THE NEEDS OF MAYOR SAMUEL "SAMMY" RIVERA BÁEZ, (Presence 4 to 10 Nov. 2021). ON THIS OCCASION: GIVEN AND I QUOTE: "A

HOUSE UNDER THE R-3 PROGRAM TO MR. PABLO SOTO DÁVILA, A RETIRED LORD WHO LIVED IN A RESIDENCE IN HARD CONDITIONS AND WAS DELIVERED A PROPERTY VALUED AT \$ 145,000, COMPLETELY NEW", MENTIONED PIERLUISI, IN AN EXCLUSIVE INTERVIEW WITH PRESENCE".

b. HON JUDGE: LAURA TAYLOR SWAIN, IN SAME CONDITIONS OF POVERTY, THAT IS MR. FROM CEIBA, WE ARE THE TEACHERS THOUGHT THAT WITH THIS UNSUSTAINABLE PENSION, MANY OF US CANNOT PAY OUR MORTGAGES AND LESS THAN HAVE A MEDICAL PLAN.

c. HON. JUDGE, I RESPECTFULLY REQUEST, THAT WE BE CONSIDERED FOR THE RETROACTIVE PAYMENTS OF THE MAGISTERIAL CAREER, WHICH WE WERE DENIED, THE INCREASES GRANTED BY THE GENERATORS, THAT WERE NEITHER GIVEN US, BY THE BANKRUPTCY LAW, PROMISE TITLE III.

d. AND THE INCREASES THAT ARISE AFTER THE IMPLEMENTATION OF LAW 53-2021, (PAD), AND INCREASES IN PUBLIC POLICY, PRESENTED BY THE POLITICAL BRANCHES OF THE GOVERNMENT OF PUERTO RICO.

e. ALLOCATION OF FUNDS TO THE MUNICIPALITY OF CEIBA, OF \$ 4 MILLION, FROM: THE FEDERAL AGENCY FOR EMERGENCY MANAGEMENT (FEMA), WITH THE PURPOSE OF REBUILDING THE LUIS MUÑOZ MARÍN ELEMENTARY SCHOOL, (PRECENCE, PAGE 6, 4 TO 10 NOV. 2021).

f. ALSO THE HON. GOVERNOR IDENTIFIED \$ 600 THOUSAND OF FEDERAL FUNDS UNDER THE ESSER PROGRAM TO REPAIR THE ROOF OF THE LUIS MUÑOZ MARÍN ELEMENTARY SCHOOL PLANT, (PRESENCE PAGE 6, NOV 4 TO 10, 2021).

E. GOVERNMENT SIGNS AGREEMENTS WITH MAYORS OF HUMACAO AND VIEQUES, (PRESENCE PAGES 8, 4 TO 10 NOV. 2021).

a. THE AGREEMENTS GUARANTEE THAT MUNICIPALITIES CAN RETAIN ENOUGH REVENUE TO SUPPORT THEIR OPERATIONS. (PRESENCE, PAGE 8, 4 TO 10 NOV. 2021).

b. THE PROGRAM (PADC) HAS A BUDGET OF \$ 300 MILLION IN FEDERAL FUNDS. THESE FUNDS COME FROM: CDBG-DR (POST-DISASTER ECONOMIC DEVELOPMENT AND REVITALIZATION) GRANTED TO THE ISLAND AFTER THE EMBATES OF HURRICANES IRMA AND MARÍS IN 2017. (FIRST HOUR NEWSPAPER, PAGE 8, TUESDAY 21 / SEP 2021).

c. HON. JUDGE: I QUOTE "THE SECRETARY OF THE HOUSING DEPARTMENT, WILLIAM RODRÍGUEZ, ASSURED THAT THE AGENCY IS SEARCHING FOR A WAY TO FLEXIBLE THE REQUIREMENTS OF THE DIRECT ASSISTANCE PROGRAM TO THE BUYER (PADC), WHICH IS FIRST DIRECTED BY PERSONS PRIMARY HOUSING PROVIDING FINANCIAL ASSISTANCE TO ELIGIBLE INDIVIDUALS AND FAMILIES TO COVER CLOSING COSTS AND DOWN PAYMENT OF THE PROPERTY." (FIRST HOUR NEWSPAPER, PAGE 8, TUESDAY 21 / SEP.2021).

F. INCOME BY THE PROJECT OF LAW: BUID BACK BETTER ACT, PRESENTED BY THE HON. MR. PRESIDENT JOE BIDEN, SUCH PROJECT WOULD EXTEND SUPPLEMENTAL SOCIAL SECURITY TO PUERTO RICO FROM 2024. (EL VOCERO, PAGE 12, MONDAY NOV 1, 2021).

a. ACCORDING TO ECONOMIST JOSÉ CARABALLO CUETO, THE SSI PROGRAM WILL HELP THE MOST NEEDED SECTORS.

b. THE ECONOMIST CARABALLO - CUETO, PUNCTUALIZED AND QUOTED: "THE ASSIGNMENT TO MEDICAID GIVES US RELIEF BECAUSE THE MONEY WE ARE GOING TO USE FOR THE DEBT WOULD COME FROM THE CONTRIBUTIONS WE NOW MAKE FOR MY HEALTH. THEY ARE

FUNDS THAT ARRIVE TO REPLACE THAT AND CAN BE USED TO PAY THE DEBT. THAT ALLOWS US A LITTLE THE THREAT OF A SECOND NON-PAYMENT ", AFFIRMED". I CLOSE THE APPOINTMENT. (EL VOCERO, PAGE 12, MONDAY, NOV. 1, 2021).

G. HON JUDGE: LAURA TAYLOR SWAIN- I RESPECTFULLY NOW PRESENT YOU IMPORTANT FACTS, THAT THE TAX CONTROL BOARD MUST CONSIDER AND EVALUATE IN LAW 53-2021 (PAD), SO THAT THE INCOME THAT ENTER THE ISLAND COLLECTION IS NOT DISVIRT IN OTHER PROJECTS PRESENTED BY THE POLITICAL BRANCHES.

a. PUERTO RICO HAS HAD SEVERAL RESTRUCTURING OF THE MILLIONAIRE DEBT THAT I HAVE AND IT WAS FOR 2013, APPEARINGLY WITH THE HON. GARCÍA PADILLA, WHO REQUESTED TO TAKE PR TO BANKRUPTCY.

c. HON. JUDGE TAYLOR - SWAIN, I RESPECTFULLY PRESENT THAT THIS DEBT WAS CREATED BY THE POLITICAL BRANCH OF PUERTO RICO, IT WAS NOT THE PEOPLE. BEFORE THIS FACT, I REQUEST THAT AT THE TIME OF MAKING PAYMENT OF THE DEBT, CONSIDERING LAW 53-2021 (PAD). IT IS CONSIDERED TO NOT AFFECT THE RETIRED MAETERS, THE TEACHERS, THE PUBLIC EMPLOYEE, THE SOCIAL SYSTEMS THAT HELP THE ELDERLY AND LOW-RESOURCE PEOPLE AND THE ECONOMIC DEVELOPMENT OF SMALL TRADERS.

c. HON. JUDGE TAYLOR - SWAIN, I RESPECTFULLY PRESENT AND REQUEST THAT THE FISCAL CONTROL BOARD ESTABLISH UNDER LAW 53-2021 (PAD) SANCTIONS FOR THOSE REPRESENTATIVES AND SENATORS WHO APPEARINGLY STEAL, COMMIT FRAUD AND ARE VIOLATING THE LAW OF ETHICS, AND THE LAW OF ETHICS MINIMUM AND IN MANY CASES THEY DO NOT RETURN THE AMOUNT OF MONEY APPEARINGLY STOLEN.

d. AFTER 6 MONTHS PASS THEY ARE FREE AND HIRED BY OTHER
SENATORS AND / OR REPRESENTATIVES.

e. HON. JUDGE TAYLOR - SWAIN, I RESPECTFULLY PRESENT THE CASE
OF FORMER LEGISLATOR RAMÓN RODRÍGUEZ RUIZ, FORMER
NOVOPROGRESS REPRESENTATIVE. THAT WAS PLEASED GUILTY. AS
RECENT AS NOVEMBER 6, 2021. SEE APPENDIX A. (NEWS DAY
NEWSPAPER. PAGE 22. NOVEMBER 6, 2021).

F. I CITE: "THE FORMER REPRESENTATIVE NOVOPROGRESISTA
RAMÓN RODRÍGUEZ RUIZ, MADE AN ALLEGATION OF GUILTY FOR TWO
CHARGES OF BREACH OF DUTY BEFORE JUDGE ELOÍNA TORRES
CANCEL IN THE JUDICIAL CENTER OF SAN JUAN. RODRÍGUEZ - RUIZ WAS
ORIGINALLY ACCUSED OF FRAUD AND IMPROPER INTERVENTION IN
GOVERNMENT OPERATIONS, WHICH ARE SERIOUS CRIMES ". I CLOSE
THE APPOINTMENT.

g. FORMER REPRESENTATIVE NOVOPROGRESSMAN RAMÓN
RODRÍGUEZ RUIZ APRENTLY CREATED TWO NON-PROFIT
ORGANIZATIONS, TO SCAM THE SPECIAL JOINT COMMISSION OF
LEGISLATIVE FUNDS, FOR COMMUNITY IMPACT.

h. THE ENTITIES CREATED WERE: GOLDEN LOVE TIES AND FUTURE
ATHLETES. HON. JUDGE, THESE FACTS ARE SHAME. BUT THIS IS THE
REALITY IN PUERTO RICO'S POLITICAL BRANCHES. THIS FORMER
REPRESENTATIVE APPEARINGLY CREATED FRAUDULENT ENTITIES AND
OTHER FORMER REPRESENTATIVES AND FORMER LEGISLATORS
APPEARINGLY CREATE GHOST EMPLOYEE PAYROLLS TO TAKE THE
MONEY.

i. HON. JUDGE TAYLOR - SWAIN, I RESPECTFULLY PRESENT AND
REQUEST THAT THE TAX CONTROL BOARD ESTABLISH UNDER LAW 53-
2021 (PAD), THE PROJECTION OF SALARY CUTS TO:

1. THE MANAGEMENT EMPLOYEES OF LUMA WHO EARN A SALARY OF \$ 200,000 TO \$ 500,000.

2. THE EMPLOYEES OF THE HOUSE OF REPRESENTATIVES, WHICH HAVE A MONTHLY PAYROLL OF \$ 1,474,956.80 FOR ONLY 501 EMPLOYEES. AND WHERE THE ASSISTANT TO THE PRESIDENT CAMERAL, EARN \$ 10,000.00 MONTHLY. WHILE A SCHOOL TEACHER WITH MUCH MORE PREPARATION IN MOST CASES WE ONLY EARN \$ 1,500.00 MONTHLY.

3. THE SENATE EMPLOYEES THAT THEIR SALARY FLUCTUATES BETWEEN \$ 110,663. FOR YOUR PRESIDENT AND \$ 73,795.04 FOR AN INDEPENDENT SENATOR

4. HON. JUDGE TAYLOR -GAMA, I RESPECTFULLY PRESENT AND REQUEST THAT THE TAX CONTROL BOARD ESTABLISH A FAIR SALARY TABLE UNDER LAW 53-2021 (PAD). AND ACCORDING TO THE TABLES THAT REPRESENT THE WAGES FOR THE EFFORT OF THEIR WORK PRODUCTIVITY, FOR THESE EMPLOYEES, WHICH ARE BEING PROFITED, AND THE ISLAND CONTINUES WITH A THIRD-WORLD INFRASTRUCTURE.

5. THIS SALARY TABLE MUST BE CONSTRUCTED IN ACCORDANCE WITH THE PUERTO RICO DEPARTMENT OF LABOR.

6. HON. JUDGE TAYLOR-SWAIN, I RESPECTFULLY PRESENT AND REQUEST THAT THE TAX CONTROL BOARD ESTABLISH UNDER LAW 53-2021 (PAD) "ABSOLUTE CONTROL" OVER THE CONDITIONS TO APPROVE THE OFFER, SALE AND ISSUE OF THE NEW GENERAL OBLIGATION BONDS.

7. THAT THE FISCAL CONTROL BOARD UNDER LAW 53-2021 (PAD) DISPLACE IN ITS ENTIRETY AND KEEP THE POLITICAL BRANCHES AT THE MARGIN, IN CONTRACTS STARTING FROM \$ 1 MILLION DOLLARS. TO EVALUATE EVERY TRANSACTION OF PURCHASE AND SALE OF ISLAND ASSETS AND CONTRACTS WITH BOTH US AND FOREIGN COMPANIES.

8. HON. JUDGE TAYLOR-SWAIN, BEFORE THE PRESENTATION OF FACTS THAT I HAVE SUBMITTED, I RESPECTFULLY PRESENT MY MOTION TO OBJECT TO THE CONFIRMATION OF THE PLAN (PAD) LAW 53-2021, IF THIS PAD, LEAVES THE GUARANTEES OF THE PENSIONED TEACHER, TO BE RECEIVED YOUR LIFETIME PENSION, A RIGHT ACQUIRED UNDER PUBLIC POLICY, FROM THE FREE ASSOCIATED STATE OF PUERTO RICO.

9. HON. JUDGE TAYLOR -SWAIN, BEFORE THE PRESENTATION OF FACTS THAT I HAVE SUBMITTED, I RESPECTFULLY REQUEST THAT NOTIFICATIONS OF THE PROCESS, ITS INITIATION, DURING, DEVELOPMENT AND FINAL EVALUATION OF THE IMPLEMENTATION OF FISCAL CONTROL LAW 53-2021 (PTA) BE SENT TO ME.

10. I ALSO WISH THE PROCESS TO BE SENT TO ME IN SPANISH AND ENGLISH LANGUAGE.

FOR ALL WHICH THE PETITIONING PARTY VERY REPETUOUSLY REQUESTS HON. LAURA TAYLOR SWAIN. JUDGE, UNITED STATES DISTRICT COURT. THAT I BE AWARE OF THE ABOVE, AND DECLARE IN PLACE THE MOTION OF: MOTION TO CONSIDER MY OPION IN SOME POINTS AND / OR ARTICLES OF LAW 53-2021, "EIGHTH DEBT ADJUSTMENT PLAN OF PUERTO RICO", PRESENTED BY THE TAX CONTROL BOARD.

CORDIALLY

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